

**AMENDMENT TO H.R. 3310**  
**OFFERED BY M**\_\_ . \_\_\_\_\_

Page 4, strike lines 1 through 7 and insert the following:

1           “(1) ASSESSING COMPETITION.—In assessing  
2           the state of competition under subsection (b)(1), the  
3           Commission shall consider all forms of competition,  
4           including the effect of intermodal competition, facilities-based  
5           competition, and competition from new  
6           and emergent communications services, including the  
7           provision of content and communications using the  
8           Internet. In conducting the assessment, the Commission shall include—

10                   “(A) a description of—

11                           “(i) the service markets that the Commission views as comprising the most significant segments of the communications marketplace;

15                           “(ii) the largest firms serving each such market; and

17                           “(iii) the degree of concentration in  
18                           each such market

1 in a manner consistent with the methodology  
2 used by the Department of Justice for its anti-  
3 trust review obligations;

4 “(B) an estimation of whether concentra-  
5 tion for each such market is increasing or de-  
6 creasing since the previous report; and

7 “(C) an identification of any firms in each  
8 such market that have significant market power  
9 in each such market, including the basis for  
10 such market power (such as market share, con-  
11 trol of intellectual property rights, and barriers  
12 to entry by competitive providers).

